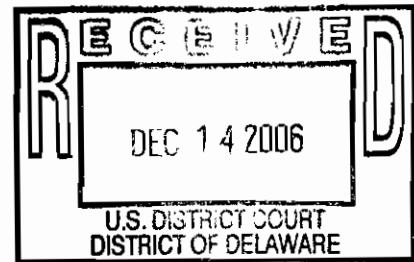


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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE



UNITED STATES OF AMERICA,

Plaintiff,

v.

DONOVAN LIVINGSTON,

Defendant.

Criminal Action No. 99-61-SLR

**MOTION AND ORDER TO DISMISS**

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Richard G. Andrews, First Assistant United States Attorney for the District of Delaware, and in the interest of justice hereby moves this Honorable Court to dismiss the Indictment as it relates to the defendant.

COLM F. CONNOLLY  
United States Attorney

By: Richard G. Andrews  
Richard G. Andrews  
First Assistant United States Attorney

Dated: 12/14/06

IT IS SO ORDERED this 15th day of December, 2006.

Sue L. Robinson  
HONORABLE SUE L. ROBINSON  
Chief Judge, United States District Court